

**KATMAI NATIONAL PARK AND PRESERVE
ANIAKCHAK NATIONAL MONUMENT AND PRESERVE
ALAGNAK WILD RIVER**

Compendium 2003

National Park Service (NPS) regulations applicable to the protection and equitable public use of units of the National Park System grant specified authorities to a park superintendent to allow or restrict certain activities. NPS regulations are found in Titles 36 and 43 of the Code of Federal Regulations (CFR) and created under authority and responsibility granted the Secretary of Interior in Titles 16 and 18 of the United States Code. The following compendium comprises a listing of all NPS regulations that provide the Superintendent with discretionary authority to make designations or impose public use restrictions or conditions. The larger body of NPS regulations that do not provide discretionary authority to the Superintendent is not cited in this compendium. A complete and accurate picture of regulations governing use and protection of the park can only be gained by viewing this compendium in context with the full body of applicable regulations found in Titles 36 and 43 CFR. *Please contact Katmai National Park and Preserve, PO Box 7, King Salmon, Alaska 99613 at (907) 246-3305 for questions relating to information provided in this compendium.*

For the purpose of this compendium, the term "parks", "park areas", or "park units" will refer to Katmai National Park and Preserve, Aniakchak National Monument and Preserve, and the Alagnak Wild River. The regulations contained within this compendium apply to all of these areas unless otherwise specified.

TITLE 36 CODE OF FEDERAL REGULATIONS

PART 1. GENERAL PROVISIONS

1.5 Closures and public use limits

(a)(1) Visiting hours, public use limits, closures

Visiting hours on the Falls and Riffles bear viewing platforms, boardwalks and the areas immediately below them, will be from 7:00 AM to 10:00 PM daily. The area affected is marked on the attached Brooks Camp Developed Area Map.

A schedule of visiting hours is required per the Finding of No Significant Impact for the Brooks River Bear-Viewing Facility. The schedule is intended to provide bears access to Brooks Falls and vicinity during a predictable period of time in which the general public is absent from the viewing structures.

Wildlife Distance Conditions

Persons may not approach within 50 yards of a bear or any large mammal. Persons may not continue to occupy a position within 50 yards of a bear utilizing a concentrated food source, including but not limited to animal carcasses, spawning salmon, and other feeding areas. This regulation does not apply to persons engaged in a legal hunt, on a designated bear viewing structure, in compliance with an approved protocol, or if otherwise directed by NPS.

Areas that possess abundant fish and wildlife attract large numbers of visitors and present high potential for personal injury and altering wildlife behavior. These restrictions on activities that bring people in contact with wildlife are intended to apply a minimum buffer zone around wildlife. It does not imply that 50 yards is always a safe distance from which to observe wildlife.

A written determination of need per 36 CFR § 1.5(c) is on file at park headquarters or can be found as an appendix to this document.

1.6(f) Compilation of activities requiring a permit

- Scientific research, (1.5)
- Possessing a loaded, operable, or accessible weapon in the former Katmai National Monument, 2.4(d)
- Collecting research specimens, (2.5)
- Operating a power saw in developed areas, (2.12(a)(2))
- Operating a portable motor or engine in undeveloped areas, (2.12(a)(3))
- Operating a public address system, (2.12(a)(4))
- Air delivery, (2.17(a)(3))
- Using designated fee areas or facilities, (2.23(b)).
- Noncommercial soliciting, (2.37)
- Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials, (2.38(a))
- Special events, (2.50(a))
- Public assemblies and meetings, (2.51(a))
- Sale and distribution of printed matter, (2.52(a))
- Grazing, (2.60(a)(1), (2))
- Residing on federal lands, (2.61(a))
- Installing a monument, (2.62(a))
- Commercial notices or advertisements, (5.1)
- Commercial operations, (5.3)
- Commercial photography or filming, (5.5)
- Repair or construction of a structure, facility, road, trail, or airstrip on federal lands, (5.7)
- Mining operations (9.9(a)) or an approved Plan of Operations (in lieu of permit)
- Abandoned property, leaving property unattended for over 12 months, (13.22(b))
- Cabins on federal lands-
 - General use and occupancy, (13.17(e)(1), (2))

- Subsistence-exclusive use, (13.17(e)(4)(i))
- Temporary (over 14 days) facilities in Preserve for taking of fish and wildlife, (13.17(e)(7))
- Cabins otherwise authorized by law, (13.17(e)(8))
- Subsistence use in areas designated as “Park” or “Monument” by a person who does not live within the Park or Monument boundary or in a resident zone community, (13.44(a))
- Using aircraft access for subsistence activities in the Park or Monument, (13.45(a), (b)(1))
- Cutting of live standing timber greater than 3 inches in diameter for non-commercial subsistence uses, (13.49(a)(1))
- Access to inholdings where access is not made by aircraft, snowmachine, motorboat or non-motorized surface transportation, (43 CFR 36.10(b))
- Salvaging, removing, possessing aircraft, (43 CFR 36.11 (f)(3)(ii))
- Helicopter landings, (43 CFR 36.11(f)(4))
- Off-road vehicle (ORV) use, (43 CFR 36.11(g)(2))
- Temporary access across federal land for survey, geophysical or exploratory work, (43 CFR 36.12(c))

PART 2. RESOURCE PROTECTION, PUBLIC USE AND RECREATION

2.1(a)(4) Designated Areas for Collection of Dead and Downed Wood

Dead and downed wood may be collected for use as fuel for campfires within the former Katmai National Monument.

Superseded by 13.20(b)(4) and 13.49(b) in the 1980 ANILCA additions. Section 13.20(b)(4) authorizes all persons to collect dead or downed timber by hand for personal use for firewood in the 1980 ANILCA additions. Section 13.49(b) allows federally qualified subsistence users to collect dead or downed timber in the 1980 ANILCA additions.

2.1(a)(5) Designated areas and conditions for walking, climbing on archeological cultural resource sites

There are no designated areas. Walking and climbing on archeological and cultural resource sites is prohibited.

2.1(b) Designating trails

No restrictions on walking or hiking.

2.1(c)(1-3) Designated fruits, berries, nuts and unoccupied seashells to harvest by hand

In the former Katmai National Monument, All edible fruits, berries, nuts and unoccupied seashells may be gathered by hand for personal use or consumption.

Superseded by 13.20(b)(1) and 13.49(b) in the **1980 ANILCA Preserve and Park additions**. Section 13.20(b)(1) authorizes all persons to collect fruits, berries, mushrooms, and other natural plant food items by hand for personal use in the **1980 ANILCA Preserve and Park additions**. Section 13.49(b) allows federally qualified

subsistence users to collect fruits, berries, mushrooms, and other natural plant food items in the **1980 ANILCA Preserve and Park additions**.

2.2(d) Established conditions and procedures for transporting lawfully taken wildlife through park areas

Hunters are required to identify themselves and the location where the wildlife that is being transported across park/preserve land was taken when requested by a park ranger. Identification of the site may consist of specific directions, maps, or upon request the hunter may be required to accompany the ranger to the location to verify the kill site.

2.2(e) Designated areas for wildlife viewing with artificial light

No designated areas in the former Katmai National Monument. Viewing wildlife with artificial light is prohibited within the former Katmai National Monument.

This restriction is intended to protect wildlife from human disturbance and harassment in the former Katmai National Monument.

No areas designated for closure in the Preserve. For sport hunting in the Preserve, state law prohibits the use of artificial light. Federal subsistence hunting regulations provide for the use of artificial life in some circumstances (50 CFR Section 100).

2.3(d)(2) Fresh waters designated as open to bait fishing with live or dead minnows or other bait fish, amphibians, nonpreserved fish eggs or fish roe

No waters are designated as open to bait fishing, except the Naknek River where bait may be used in accordance with state law pursuant to 13.66(b)(1). Subsistence fishing is allowed in accordance with 36 CFR part 13 and 50 CFR part 100.

2.3(d)(8) Designated areas open for fishing from motor road bridges and public boat docks

All areas open to fishing from motor road bridges and public boat docks except the floating bridge in the Brooks Camp Developed Area.

The floating bridge at Brooks Camp is the primary travel route between visitor services provided at Brooks Camp and the viewing platforms along the river. For the safety of visitors no fishing from the bridge will be allowed.

2.4(a)(2)(i) Carrying of weapons at designated locations and times

Weapons and traps may not be carried within the former Katmai National Monument. (Note: see 2.4(a)(3) authorizing the possession of unloaded weapons that are either inoperable or inaccessible in vehicles and vessels). Superseded by 13.19(b) in all other areas.

2.10 (a) Camping - designated sites, areas, conditions and permits

Superseded in part by 13.18(a).

2.10(d) Food storage - designated areas and methods

All food, food containers, garbage, harvested fish and equipment used to cook or store food must be secured in one of the following ways unless it is within immediate physical control:

- Secured within a building or designated food cache or
- Secured within lockable and hard sided section of a vehicle, vessel, or Aircraft or
- In a Bear resistant food container or
- Suspended at least 10 feet above the ground and 4 feet horizontally from a post, tree trunk, wire cable, or other object.

Note: This does not apply to:

- Food that is being transported, consumed or prepared for consumption.
- The use of bait for trapping and hunting under the provisions of state and federal law.

A bear resistant section or container is securable and constructed in such a manner and material (capable of withstanding a minimum of 200-ft/lbs of energy) to prevent access by a bear.

Acceptable Bear Resistant Food Containers include:

- PVC plastic or aluminum backpacker canisters (such as those manufactured by Garcia Machine, Wild Ideas, or Purple Mountain Engineering)
- Park provided metal food lockers at some coastal campsites
- Steel drums with locking rings
- Modified military ammo cans or bear resistant metal panniers
- Metal raft dry boxes.

Unacceptable Bear Resistant Food Containers include:

- ice chests
- coolers
- tents
- dry bags or stuff sacks
- plastic packing boxes (Totes, Action Packers, etc.)
- hard or soft shelled kayaks with standard hatch covers

Any fish caught and kept within the Brooks Camp Developed Area must be immediately stored within a designated facility. Designated fish storage facilities within the Brooks Camp Development Area are the Fish Freezing Building for the public, and employee residences.

The intent of these designations is to prevent bears and other wildlife from learning to associate humans, human developments, or camp sites as potential sources of food, thus protecting wildlife and park visitors alike. Visitors should

note that much of the park does not contain suitable trees to properly suspend food.

2.11 Picnicking - designated areas

Superseded by 13.18(b).

2.13(a)(1) Fires - Designated areas and conditions

Within the Brooks Camp Developed area, 1.5 mile outside of the Brooks Camp Developed Area and at Lake Camp boat launching facilities, fires are allowed only in pre-established designated fire rings or grills. Campfires are allowed at all other locations. Fires may not be left unattended and must be completely extinguished upon termination of use. All trash (tin foil, burnt food, glass, and cans) must be removed from the fire site after use.

The intent of this requirement is to allow for fires in the backcountry while ensuring that resource impacts are minimized. It is recommended in backcountry areas to reuse visible fire rings. When fires are extinguished all trash should be removed and cooled remnants should be scattered.

2.14(a)(2) Sanitation and refuse - using government receptacles

Dumping of household, commercial, or industrial refuse brought into the park is prohibited.

2.14(a)(5) Sanitation - designated areas for bathing and washing

Within the Brooks Camp Developed Area the water spigot located adjacent to the food cache in the Brooks Camp campground is the only outdoor location approved for washing of cooking utensils. Showers may be obtained from the Concessionaire at Brooks Lodge.

2.14(a)(8) Sanitation - human waste in developed areas

Use of existing fixtures and facilities within the Brooks Camp Developed Area, and Lake Camp boat launching facilities is required.

2.14(a)(9) Sanitation - designated areas for disposal of human waste in undeveloped areas

In all areas holes must be dug at least 6 inches deep and 100 feet from any surface freshwater source.

This requirement is intended to ensure that proper disposal of human waste occurs in the backcountry to protect water quality and visitor health and safety.

2.14(b) Sanitation- conditions concerning disposal, carrying out of human waste

All toilet paper and other sanitary products shall be packed out as trash or burned.

2.15(a)(1), (a)(3), (a)(5), (b), (e) Pets

Pets are prohibited in the Brooks Camp Developed Area and within 1.5 miles of the Brooks Camp Developed Area.

In all other areas pets are allowed. This section already contains restrictions, such as pets must be leashed or physically restrained, and therefore there are no additional conditions in these areas.

This restriction limits the free-range of pets within the park to protect wildlife and park visitors from harassment.

2.16(a)-(c) Horses and pack animals

Superseded by 43 CFR 36.11(e).

Access for subsistence purposes under 36 CFR 13.46(a) supersedes this section.

2.17(a)(1) Aircraft operation

Superseded by 43 CFR 36.11(f)(1).

Access for subsistence purposes under 36 CFR 13.45 supersedes this section.

2.17(a)(2) Aircraft operation near docks, piers, swimming beaches and other designated areas

No areas prohibited at present.

2.17(c)(1) Removal of downed aircraft

Superseded by 43 CFR 36.11(f)(3)(ii).

2.18(c) Snowmobiles-designated areas for use.

No areas designated for snowmachine use.

Superseded in part by 43 CFR 36.11 for Special access.

Superseded by 36 CFR 13.46 for subsistence use.

2.19(a) Winter activities-designated areas

Roads and parking areas open to vehicle traffic in the winter are designated as open to winter activities in 2.19(a).

2.20 Skating and skateboards

Superseded by 43 CFR 36.11(e).

2.21 Smoking

All public buildings are closed to smoking unless specifically permitted and signed as a designated smoking area. Smoking is prohibited within 100 feet of the park fuel and aviation gas storage facility.

These restrictions are intended to protect public safety from fire or explosion around fuel storage and dispensing facilities.

2.22 Property - leaving property unattended for 24 hours

Superseded by 13.22.

2.23(a) Designated Recreation Fee use Area

The Brooks Camp Developed Area is the only designated recreational fee area within the parks. As a condition of use, ALL persons arriving at Brooks Camp must receive an approved Bear Orientation from the National Park Service or other authorized persons.

By requiring all visitors to check in at the Brooks Camp Visitor Center, the visitor will be ensured of getting a proper orientation to correct behavior around bears. Guides who have been accepted into the Brooks River Guide Program may provide this orientation to their clients without going to the Visitor Center. This is intended to increase visitor safety and resource protection.

2.35(a)(3)(i) Alcoholic beverages - areas closed to consumption

No restrictions at present.

2.38(b) Explosives - areas designated for using fireworks

No areas designated for use of fireworks. Fireworks are prohibited.

2.51(e) Public assemblies/meetings - designated areas

Areas of the park open to public assemblies with a permit from the Superintendent are designated on the attached map.

2.52(e) Sale and distribution of printed matter-areas designated for such use

Areas of the park open to distribution of printed matter with a permit from the Superintendent are designated on the attached map.

2.60(a)(3) Designated areas for grazing

Grazing of pack or saddle animals by private parties, not to exceed 14 days, is authorized without a permit in all areas. Any feed brought in must be “weed-free”.

These restrictions seek to lessen the impact of extended camps on vegetation and minimize the risk of nonnative plant invasion.

2.62(b) Memorialization-designation of areas for scattering ashes

All areas of the park are open to scattering of ashes without a permit.

PART 3. BOATING AND WATER USE ACTIVITIES

3.3 Permits

No permits required at present.

3.6(i) Boating, prohibited operations - designated launching areas

All areas of the park are open to launching of boats.

3.6(j) Operating a vessel not directly accessible by road

Superseded by 43 CFR 36.11(d).

Access for subsistence purposes under 36 CFR 13.46(a) supersedes this section.

3.6(k) Launching or operating airboats

Superseded by 43 CFR 36.11(d)

Access for subsistence purposes under 36 CFR 13.46(a) supersedes this section.

3.6(l) Operating a vessel in excess of designated size

No maximum size designations at present.

3.20(a) Water skiing-designated waters

All waters are designated as open.

3.21(a)(1) Swimming and bathing-areas designated as closed

All park areas are open to swimming and bathing.

3.23(a) SCUBA and snorkeling - designated conditions in swimming areas, docks, etc.

No restrictions at present.

PART 4. VEHICLES AND TRAFFIC SAFETY

4.10 Travel on park roads and designated routes-areas designated for off-road use in Preserves

No designations at present.

See also 43 CFR 36.10, 36.11(c), (g), 36 CFR 13.46(a).

4.11(a) Load weight and size limits - permit requirements and restrictive conditions

No restrictions at present.

4.21(b)-(c) Speed limits-designation of a different speed limit

Vehicle use is restricted to the south side of Brooks River. Speed limits on the road between the lower platform and Brooks Lake (Brooks Lake road) is 15 mph. The Valley of Ten Thousand Smokes road is designated is 25mph. Limited administrative use of small utility vehicles is permitted within the Brooks Camp Developed Area.

The reduced speed limit within the Brooks Camp Developed Area is for public safety. Pedestrians, bicyclists and wildlife often use the roadway and visibility is limited due to road design and vegetation.

4.30(a) Bicycles-closed areas

Superseded by 43 CFR 36.11(e).

4.30(d)(1) Wilderness closed to bicycle use

Superseded by 43 CFR 36.11(e).

4.31 Hitchhiking-designated areas

All areas of the park are open to hitchhiking.

PART 5. COMMERCIAL AND PRIVATE OPERATIONS

5.7 Construction of buildings, roads, trails, airstrips, or other facilities

Maintenance of established landing strips utilizing non-motorized hand tools is not considered construction or repair and no permit is required. Any other construction requires a permit.

PART 13. ALASKA REGULATIONS

SUBPART A – PUBLIC USE AND RECREATION

13.17(d)(8)(ii), (iv) Established conditions for removal of cabin for which a cabin permit has been denied, expired, or revoked

No conditions established at present (may require access permit).

13.17(e)(4)(i) Designated existing cabins, shelters or temporary facilities that may be shared for subsistence use without a permit

No designations.

13.17(e)(4)(vi) Established conditions and standards governing the use and construction of temporary structures and facilities for subsistence purposes, published annually.

No conditions or standards established.

13.17(e)(5)(i) Designated cabins or other structures for general public use

Fure's Cabin at the northeast corner of the "Bay of Islands" in the north arm of Naknek Lake is designated as a public use cabin.

13.17(e)(5)(ii) Established conditions and allocation system to manage the use of designated public use cabins

The following conditions apply to Fure's cabin at the northeast corner of the "Bay of Islands" in the north arm of Naknek Lake:

- Use of the cabin site for specific administrative uses shall have priority over all unreserved public use when deemed necessary by the park Superintendent.
- All use will be conducted for recreational activity by reservation through the King Salmon office.
- No commercial overnight use is permitted at the cabin.
- Reservations shall be made on a first-come first-served basis beginning no earlier than January 1 of each calendar year of the intended use.
- Use will be limited to groups no larger than six and the names of all group members shall be provided at the time a reservation is requested.
- Overnight stays are limited to no more than four consecutive nights and no more than seven nights a year.
- Use of the adjacent historic tower is not permitted.
- The use of a tent within the cleared area around the cabin is prohibited.
- Alterations to the structure, marring the surface of the wood logs, framing or other components of the cabin and surrounding structures is prohibited.

This requirement allows for equitable public use of the Fure's Cabin.

13.17(e)(7)(iv)(B) Established conditions for removal of temporary facility (more than 14 days)

Individuals must remove facility, all personal property, and return the site to its natural condition.

These conditions are intended to protect the park from impacts to vegetation and soil and to ensure that personal items are not left in the park.

13.18(a) Restricted areas for camping

Areas temporarily restricted or closed to camping are listed under 13.30(d)(2).

13.18(b) Picnicking-areas where prohibited

Picnicking is restricted only within the Brooks Camp Developed area of Katmai National Park. Picnicking is limited to the Brooks Camp Visitor Center picnic area, Brooks Campground, Brooks Lake Picnic Area, and a site designated in the employee housing areas.

For the purpose of this regulation, picnicking is defined as preparing or consuming food or beverage. Water is not considered a beverage.

These restrictions are listed here for information. Regulations require notification of picnicking limitations by posting of appropriate signs. The posting of signs within the Brooks Camp Developed Area will provide public notice of this restriction.

13.19(b) Carrying firearms

Temporary restrictions will be listed under 13.30(d)(2). See 2.4(a)(2)(i) for restrictions on carrying weapons in the former Katmai National Monument.

13.20(d) Preservation of natural features

There are no additional restrictions.

See 2.1(a)(4), (c)(1)-(3) for the former Katmai National Monument.

13.22(c) Designate areas where personal property may not be left unattended for any time period, limits on amounts and types, manner in which property is stored

Brooks Camp Developed Area

No personal property of any kind may be left unattended for any length of time within the Brooks Camp Developed Area except for: the Brooks Lodge Porch, the Brooks Campground, or in the cache at the Brooks Camp Visitor Center.

Remaining Areas

Personal property may not be left unattended for more than 4 months without written permission from the superintendent.

- All caches must be labeled with the name of the owner, home address, telephone number, and date that the cache was established. If the cache contains fuel, the type of fuel must be noted. Unlabeled caches may be removed or impounded.
- Caches left for more than 4 months will be considered abandoned and may be removed or impounded by Park Rangers.
- All caches must be secured in such a manner that wildlife is unable to access the cache contents.
- Fuel caches will be limited to one location, and no more than 30 gallons may be registered to a single cache.
- Fuel caches will be stored at least 100 feet from any water source, gravel bar, or flood plain. Fuel must be contained in a UL approved steel fuel container and placed on impervious material in such a manner that any spillage would be contained and prevented from coming into contact with water, soil or vegetation.
- A Special Use Permit may be obtained from the Superintendent for unique or special circumstances that require a cache to be left in place for more than 4 months. All such requests must be made in writing to the Superintendent at 4230 University Drive Suite 311, Anchorage AK 99508

Unlabeled or undated caches are an indication that the owner has no intention of returning or retrieving the property. Experience indicates that caches older than 4 months are usually abandoned. Unlabeled fuel is of questionable use since fuel deteriorates with age. Fuel caches require special containers and handling because fuel spills can contaminate soil and water. Fluctuating river levels and unstable stream banks make streamside, gravel bar, and flood plain cache locations unsuitable.

The Brooks Camp Developed Area provision is intended to minimize bear-human confrontations that could result from bears investigating unattended property

13.30(d)(1) Temporary closures and restrictions relating to the use of aircraft, motorboats, and non-motorized surface transportation or to the taking of fish and wildlife

No closures or restrictions at present.

13.30(d)(2) Temporary closures and restrictions (other)

Brooks Camp Developed Area (See attached Map)

- Camping within the Brooks Camp Developed area is restricted to the Brooks Campground.
- Camping is prohibited in the Brooks Camp Campground from September 18th - November 1st.
- Camping is prohibited within 1.5 miles of the Brooks Camp Developed Area except in designated areas (see attached map) between September 18th – November 1st.
- Brooks Campground is limited to 7 total nights during the month of July.
- Groups are limited to no more than 6 persons per site June 1st - September 18th.
- Public notice of this restriction will be provided by the posting of signs within the Brooks Camp Developed Area.

These restrictions are provided to ensure that a greater number of visitors have access to the Brooks Camp area during the peak visitation season and to minimize crowding thus protecting the visitor experience and the natural resources.

Backcountry Camping-effective from June 1 – September 1

Camping within 3 miles of the Katmai Coast is limited in one location up to 7 consecutive nights. Camp must be moved at least one mile from its previous location. Camp may not be returned back to the original site for a period of at least 14 days.

Camping in all other locations is limited to 14 consecutive nights in one location at which time the camp must be moved at least two miles.

For the purpose of this section, camping is defined as any planned overnight stay in the backcountry areas of the above listed parks, excluding stays at the Brooks Campground or Commercial Lodges.

This limitation is to prevent long term occupancy of campsites other groups may wish to use, minimize campsite deterioration and disruption of wildlife use patterns.

SUBPART B – SUBSISTENCE

13.49(a)(1) May permit cutting in accordance with specifications of permit for subsistence timber harvest (house logs & firewood)

Cutting of live timber for subsistence or any other purpose is not authorized in the former Katmai National Monument. In all other areas, the Superintendent may allow subsistence harvest of trees greater than 3" subject to the terms and conditions of a permit issued by the Superintendent.

The above restriction serves to minimize impact to park resources, ensure that natural biodegradation processes are unimpaired, and protect against over harvest.

13.49(a)(2) Restrictions on cutting of live timber less than 3" in diameter for subsistence purposes

Cutting of live timber is not authorized in the former Katmai National Monument. In all other areas, verbal or written permission from the Superintendent is required to cut live timber less than 3" in diameter, except as necessary to clear designated vehicle routes and airstrips.

The above restriction serves to minimize impact to park resources and protect against over harvest.

43 CFR, PART 36 TRANSPORTATION AND UTILITY SYSTEMS (Access Regulations)

36.11(c) Temporary closures or restrictions on the use of snowmachines for traditional activities

No closures or restrictions at present.

36.11(d) Temporary closures or restrictions on use of motorboats

No closures or restrictions at present.

36.11(e) Temporary closures or restrictions on use of non-motorized surface transportation

No closures or restrictions at present.

36.11(f)(1) Temporary closures or restrictions on landing areas for fixed-wing aircraft

No closures or restrictions at present.

36.11(f)(3)(ii) Established procedure for salvaging and removing downed aircraft.

A permit is required from the Superintendent before downed aircraft may be salvaged and removed from the NPS lands; violation of the terms and conditions of the permit is prohibited.

This requirement allows the Superintendent to establish terms and conditions for salvage operations as necessary to protect resources, provide for public safety, and minimize impacts on visitors.

36.11(g)(1) Use of off-road vehicles (ORV) on established trails

No trails designated for ORV use at present.

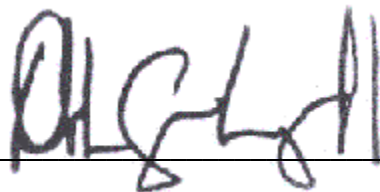
LIST OF ATTACHMENTS (MAPS)

Appendix A, Brooks Camp Developed Area

Appendix B, Determination of Need for Wildlife Distance Conditions.

This compendium is approved and rescinds all previous compendiums issued for Katmai National Park and Preserve, Aniakchak National Monument and Preserve, and the Alagnak Wild River.

Deborah O. Liggett
Superintendent: _____



Date: April 1, 2003

APPENDIX B

KATMAI NATIONAL PARK AND PRESERVE ANIAKCHAK NATIONAL MONUMENT AND PRESERVE ALAGNAK WILD RIVER

Superintendent's Order for 2003 Compendium and Determination of Need for Wildlife Distance Conditions.

36 CFR 1.5 Closures and public use limits.

(a)(2) Designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity.

2002 Superintendent's Order: Wildlife Viewing Conditions

Persons may not be within 50 yards of a bear or any large mammal or within 100 yards of a bear or any large mammal with young. This regulation does not apply to persons engaged in a legal hunt, persons on a designated bear viewing structure, or if otherwise directed by NPS personnel.

36 CFR 1.5 Closures and public use limits.

(c) Except in emergency situations, prior to implementing or terminating a restriction, condition, public use limit or closure, the superintendent shall prepare a written determination justifying the action.

Determination of Need

The 2002 Superintendent's Order is found to be more restrictive than necessary to accomplish the intended resource protection goal. Further, the requirement to move away from a bear that approaches people may unintentionally reinforce this behavior. Spatial considerations are recognized as a valid component of preventing bear/human conflict but a less restrictive condition is proposed to apply this principle through the use of the Superintendent's Order. The title of this rule has been changed to Wildlife Distance Conditions to reflect the application of these restrictions to other activities that may bring people into contact with wildlife.

One objective of this revision is to address the recommendation from the State of Alaska to develop a program "...to prevent visitors from 1) approaching bears intentionally, b) fishing in close proximity to bears, and c) blocking bears' access to salmon." (State of Alaska Issue Summary and Discussion Document for the October 1-2, 2002 meeting between the Service and the State)

Consistent with "Best Practices for Viewing Bears on the West Side of Cook Inlet and the Katmai Coast", language in this rule will be modified to prevent people from closely approaching bears or monopolizing sites where bears feed.

Consequently, people will not be permitted to establish and maintain a presence immediately adjacent to a food source that results in conditioning bears to human presence or displacing less tolerant bears. Further, the rule will be intended to prohibit people from approaching any large animal with young.

Other management options were considered including permits, seasonal closures, and area restrictions to allow only agency-guided tours. These were rejected as being unnecessarily restrictive, unenforceable, or exceeding the ability of the park to implement.

Less restrictive measures, including no distance rule, were considered but rejected as not meeting resource protection and visitor safety needs. Areas that possess abundant fish and wildlife attract large numbers of visitors and present high potential for personal injury and altering wildlife behavior. These restrictions on activities that bring people in contact with wildlife are intended to apply a minimum buffer zone around wildlife. It does not imply that 50 or 100 yards is always a safe distance from which to observe wildlife.

36 CFR 1.5 Closures and public use limits.

(a)(2) Designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity.

2003 Superintendent's Order: Wildlife Distance Conditions

Persons may not approach within 50 yards of a bear or any large mammal. Persons may not continue to occupy a position within 50 yards of a bear utilizing a concentrated food source, including but not limited to animal carcasses, spawning salmon, and other feeding areas. This regulation does not apply to persons engaged in a legal hunt, on a designated bear viewing structure, in compliance with an approved protocol, or if otherwise directed by NPS.

Persons engaged in bear viewing, fishing, or other activities in areas of concentrated food sources must avoid altering wildlife behavior.

Persons who enter an area of concentrated food sources when a bear is present must move as soon as practicable and safe a minimum of 50 yards away (e.g., do not continue viewing, tripod photography, fishing or other activities). Specific protocols developed in cooperation with Alaska Department of Fish and Game may be approved to facilitate appropriate wildlife viewing opportunities in areas of concentrated food sources.

Areas that possess abundant fish and wildlife attract large numbers of visitors and present high potential for personal injury and altering wildlife behavior. These restrictions on activities that bring people in contact with wildlife are intended to apply a minimum buffer zone around wildlife. It does not imply that 50 yards is a safe distance from which to observe wildlife.